

REMARKS

Claims Status

Claims 1 and 5 have been amended, and claim 12 has been added by this amendment. The claims in consideration are claims 1-12. Claims 1, 11, and 12 are the independent claims. Applicants appreciate the Examiner's remarks noting that claims 5, 6, 9 and 11 contain allowable subject matter.

Claims Rejection - 35 U.S.C. §102(e)

Claims 1-4, 7, 8, and 10 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,116,693 to Bullard (hereinafter "Bullard"). Claim 1 is the independent claim involved in this particular rejection, and claims 2-4, 7, 8 and 10 depend therefrom.

The Applicants now claim in Claim 1, *inter alia*, a tension mechanism comprising "**an adjustable** tension belt tensioning device **adjustable** to produce more or less tension in said plurality of tension belts . . ." (Emphasis added). With regard to new claim 12, Applicants claim "a tension belt tensioning device adapted to produce more or less tension in said plurality of tension belts

irrespective of tension on said tension belts created by a user's weight . . ." (Emphasis added). Thus, the tensioning device recited in Claim 1 is now clearly defined as adjustable while the tension belt tensioning device of claim 12 creates tension on the plurality of belts, which is independent of a user's weight.

The Examiner states that Bullard contains "a tension belt tensioning device (44a)." Further, the Examiner goes on to state that the "examiner has interpreted that the fasteners 44a and 44b (read as tension belt tensioning device) in combination with the weight of the user will affect the tension in the plurality of tension belts." [sic] (Office Action, dated September 17, 2003, pages 2 and 4).

With regard to Claim 1, the Applicants now claim **an adjustable tension belt tensioning device** to produce more or less tension in said plurality of tension belts. (Claim 1). The fasteners 44a and 44b in Bullard are very simply a fastener and holding device. "The endmost portion 42a [of the belts or webbing] has a pair of opposed end portions 42a and 42b. The endmost portion 42a is illustrated as being secured to the rear rail 22 with fasteners 44a and the end portion 42b being secured to the front rail 20 with fasteners 44b." (Col. 4, Lines 3-8 and

Figs. 1-3). The fasteners 44a, 44b in Bullard do not adjust the tension of the belts. Bullard is simply not an "adjustable tension belt tensioning device to produce more or less tension in said plurality of tension belts as recited in Claim 1.

With regard to claim 12, it is clear that the tension created by the tension belt tensioning device on the plurality of tension belts is **irrespective of tension on said tension belts created by a user's weight.** (Claim 12). In contrast, Bullard discloses fasteners 44a and 44b fixed to a front rail and a rear rail of the frame. (Col. 4, Lines 3-8 and Figs. 1-3). The only tension applied to the spring assemblies 14 of Bullard is the user's weight. Similarly, new Claim 11 claims, *inter alia*, "a tension belt tensioning device adapted to produce more or less tension in said plurality of tension belts **irrespective of tension created by a user's weight.**" (Claim 11 and emphasis added). Bullard does not teach or disclose each and every element of the claimed invention; therefore, reconsideration is respectfully requested.

Thus, Applicant respectfully submits that independent claims 1 and 12, and all claims dependent thereon, are in condition for allowance. Early and favorable action is respectfully requested.

The Examiner is invited to telephone the undersigned,

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Applicant's Attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

Peer Kuster et al.

By Richard J. Musgrave
Richard J. Musgrave
Registration No. 44,960
Attorney for Applicant(s)

BOURQUE & ASSOCIATES, P.A.
835 Hanover Street, Suite 301
Manchester, New Hampshire 03104

Telephone: (603) 623-5111
Facsimile: (603) 624-1432

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